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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,206	01/21/2004	Kia Silverbrook	RRA21US	1340
24011	7590	03/22/2006	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, NSW 2041 AUSTRALIA			GARCIA JR, RENE	
			ART UNIT	PAPER NUMBER
			2853	

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/760,206

Applicant(s)

SILVERBROOK, KIA

Examiner

Rene Garcia, Jr.

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “number of inkjet printer cradles” with respect to independent claim 1 and dependent claims 2-4 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the

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following is required: Lack of antecedent basis in specification for “a number of inkjet printer cradles”. With regards to figures 1 and 3 there is only sufficient area within inkjet printer system for a cradle, no other figures would suggest that more than one cradle can be incorporated to claimed system. With regards to specification page 12 discloses a cradle for use in the system but provides no such means more than one or even suggesting more than one.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Komplin et al. (US 6,199,977).

Komplin et al. disclose the following claimed limitations:

*regarding claim 1, inkjet printer system including: (col. 1, lines 31-32)

*plurality of inkjet printer cartridges/**ink cartridge, 12/** (fig. 2; col. 2, line 67)

*number of inkjet printer cradles/**cartridge slots; 134, 136, 138, 140/** each including a body defining a recess and arranged to receive and operate each of a set of supported inkjet printer cartridges/**12/** of the plurality of inkjet printer cartridges/**12/** (fig. 5; col. 6, lines 33-51)

*inkjet cartridges/**12/** of said plurality not belonging to the set of supported inkjet printer cartridges/**12/**, in respect of a particular one of said number of inkjet printer cradles/**cartridge slots; 134, 136, 138, 140/**, are shaped to prevent their reception into the recess of said particular inkjet printer cradle/**cartridge slots; 134, 136, 138, 140/** (fig. 5; col. 6, lines 42-51)

*regarding claim 4, inkjet printer cartridge/**ink cartridge, 12/** not supported by a particular inkjet printer cradle/**cartridge slots; 134, 136, 138, 140/** is formed with a protrusion, or an indentation,/**keying member, 50/** that interferes with an indentation, or a protrusion, of the particular inkjet printer cradle/**cartridge slots; 134, 136, 138, 140/** upon attempting to insert said cartridge/**12/** into said cradle/**cartridge slots; 134, 136, 138, 140/** (fig. 5, col. 6, lines 42-51)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komplin et al. (US 6,199,977) in view of Waller et al. (US 6,250,738).

Komplin et al. disclose all of the claimed limitation except for the following:

*regarding claim 2, inkjet printer cartridges are of a type having a pagewidth printhead

*regarding claim 3, inkjet printer cartridges are of a type having an internal ink store in fluid communication with the pagewidth printhead

Waller et al. disclose the following:

*regarding claim 2, inkjet printer cartridges are of a type having a pagewidth printhead/**page-wide-array printhead/** (col. 1, line 56) (fig. 1; includes inkjet printhead assembly/**12/**, ink supply assembly/**14/**, and mounting assembly/**16/**) for the purpose of printing one or more lines at a time.

*regarding claim 3, inkjet printer cartridges are of a type having an internal ink store/**reservoir, 15/** in fluid communication with the pagewidth printhead/**page-wide-array printhead/** (col. 4, lines 10-17) for the purpose of printing one or more lines at a time.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize inkjet printer cartridges are of a type having a pagewidth printhead; and inkjet printer cartridges are of a type having an internal ink store in fluid communication with the pagewidth printhead as taught by Waller et al. into Komplin et al. for the purpose of printing one or more lines at a time.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komplin et al. (US 6,199,977) in view of Carrese et al. (US 6,390,615).

Komplin et al. disclose all of the claimed limitation except for the following:

*regarding claim 5, indicia are present on the inkjet printer cartridges and on the inkjet printer cradles to indicate whether a particular inkjet printer cartridge is supported by a particular inkjet printer cradle

Carrese et al. disclose the following:

*regarding claim 5, indicia/**colored indicia/** are present on the inkjet printer cartridges/**ink tank, 200/** and on the inkjet printer cradles/**ink tank support structure, 100/** to indicate whether a particular inkjet printer cartridge/**ink tank, 200/** is supported by a particular inkjet printer cradle/**ink tank support structure, 100/** (col. 6, lines 39-54)

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to indicia are present on the inkjet printer cartridges and on the inkjet printer cradles to indicate whether a particular inkjet printer cartridge is supported by a particular

inkjet printer cradle as taught by Carrese et al. into Komplin et al. for the purpose of helping the user put an appropriate tank into the correct location.

Response to Arguments

8. Applicant's arguments filed 08 January 2006 have been fully considered but they are not persuasive. In arguments applicant argues that Komplin et al. (US 6,199,977) fails to teach a number of cradles and that cartridge slots 134, 136, 138 and 140 are not cradles. A broad examination of claim 1 has been taken into consideration and as a result of structural limitations presented ink cartridge slots sufficiently meet said limitations (see col. 6, lines 33-51).

Applicant argues, with respect to Claims 1 and 4, that each slot disclosed in Komplin et al. fails to support receiving any cartridge other than identical cartridges. Komplin et al does not suggest or disclose any such feature, although Komplin et al. is silent on whether ink cartridges/12/ of specified colors (yellow, magenta and cyan) while using similar keying for each respective color ink cartridge can in fact have different ink compositions. However applicant is arguing limitations not claimed. Applicant claimed limitations neither suggest nor set forth limitations not met by Komplin et al.. Claim 1 only sets forth limitations of a number of cradles receiving a set of supported inkjet printer cartridges and claim 4 only limits that cartridges with protrusion or indentation that interferes (does not match up) with cradle protrusion or indentation not be supported (will not mate or be allowed to be placed in a functioning orientation within inkjet printer system).

Arguments with regards to claims 2, 3 and 5 are moot since independent claim 1 stands rejected as discussed above and all limitations have been met.


Rejection therefore stands as presented above.

Communications with the USPTO

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rene Garcia, Jr. whose telephone number is (571) 272-5980. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Rene Garcia Jr.
20 March 2006

 3/06
K. FIGGINS
PRIMARY EXAMINER